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JUN. 23. 2005 7:01AM

VARIAN, INC.

NO. 0569 P. 7

Docket No.: 2860 (02-29 US)

REMARKS

Amendment to the drawings is made to correlate same with the original specification. Specifically, on page 6, beginning at line 6 wherein it is stated that the mats 102 may be molded with perforations.

In addition, the specification, namely, the paragraph on page 6 beginning with line 6, has been amended to provide for a character reference, namely 106, to the perforations originally set forth.

As stated, these perforations enable adaption of the matt 102 for variously sized extraction plates with different numbers of exit ports.

Traverse of the Examiner's rejection will be based upon the amended claims which now include a well plate for variously sized multi-well filter/extraction plates which includes a dividable matt having a plurality of spaced apart matt wells with each matt well having a size and shape abutting a corresponding plate well sized in shape, a pressure sensitive unidirectional flow contact valve along with separable perforations in the matt which are disposed between the rows and columns of the valves which enable adaption of the matt to one of the variously sized plates by division of the matt. Support for this amendment is found on page 6, paragraph 6. A new Figure 6 is enclosed showing a divided matt 108.

The Examiner has rejected claims 1-3 and 20-22 under 35 USC 103(a) as being unpatentable over U.S. 6,436,351 to Gubernator, et al. in view of U.S. 6,083,761 to Kedar, et al.

In this rejection, the Examiner considers the reaction cap assembly to be the element meeting the limitations of the matt having a plurality of wells having a size and shape such that it abuts the wells.

However, as presently claimed, the matt is dividable and includes a plurality of perforations enabling adaption of the matt to one of variably sized plates by division of the matt.

Clearly, there is no structure in either Gubernator, et al. or Kedar, et al. which is all similar to the structure as presently claimed in which functions in a manner enabling the matt to be used for various size plates.

In view of the amendment to the claims, the references relied on by the Examiner do not provide a basis for prima facie case of obviousness under 35 USC 103(a). Accordingly, the Applicants respectfully request the Examiner to withdraw the rejection of claims 1-3 and 20-22

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JUN. 23. 2005 7:02AM

VARIAN, INC.

NO. 0569. P. 8

Docket No.: 2860 (02-29 US)

under 35 USC 103(a) on the basis of the Gubernator, et al. and Kedar, et al. references.

Claims 4-6 and 23-25 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Gubernator, et al., Kedar, et al. and further in view of the U.S. 4,473,094 to Harris.

It is clear that Harris provides no further teaching which fills deficiencies of the Gubernator and Kedar references with regard to teaching of a dividable matt having perforations therein. Accordingly, the Applicants submit that a *prima facie* case under 35 USC 103(a) has not been made and respectfully request the Examiner to withdraw the rejection of claims 4-6 and 23-25 on the combination of Gubernator, et al., Kedar, et al., and Harris references.

In view of the arguments hereinabove set forth and amendment to the drawings, specification, and claims, it is now submitted that each of the claims now in the Application define patentable subject matter not anticipated by the art of record and not obvious to one skilled in this field who is aware of the references of record. Reconsideration and allowance are respectfully requested.

Respectfully submitted,

Date: 6/22/05

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JUN. 23. 2005 7:00AM

VARIAN, INC.

NO. 0569 P. 3

Docket No.: 2860 (02-29 US)

IN THE DRAWINGS

Figure 2 has been amended to show that sealing matt 102 is molded with perforations 106, which was cited in the specification as originally filed. The Applicants submit a replacement sheet for Fig.2.

A new figure 6 has been added to the drawings to illustrate a different size sealing matt according to the present invention as disclosed in the originally submitted specification.

No new matter has been introduced.